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SUBJECT: Major breakthrough as CNDP agrees
to sign Kivus Conference Declaration

¶1. (SBU) Summary: After intense discussions with leaders of the Kivus Conference late January 20 and early January 21, CNDP agreed that it would sign the final conference declaration with some additional text changes. There remain the issues of getting other armed groups on board, and approval of the final declaration in plenary, but conference leaders hope that there can be a signing and final ceremony on January 22. End Summary.

¶2. (SBU) Conference leaders Father Apollinaire Malu Malu and National Assembly President Vital Kamerhe convoked international representatives late morning January 21 to give the news that, after three days' discussion, the CNDP had agreed to a final declaration by the Kivus Conference, which would hopefully be signed and come to its ceremonial conclusion January 22. Significantly present at the meeting, but not speaking, was the Minister of State for Interior Kalume, as well as conference leaders Azarias Ruberwa and Bishop Jean-Luc Kuye Ndondo.

¶3. (SBU) Kamerhe said that the three days' of meetings with the CNDP had focused on issues within all five headings of the proposed final declaration: ceasefire, disengagement of troops, actions on humanitarian affairs and human rights, brassage and DDR, and political and judicial guarantees. On the first day of discussions agreement had been reached on the need for cessation of hostilities by all military forces and on general modalities involving movement of MONUC into critical areas. There had also been rapid agreement on humanitarian actions and human rights (including recruitment of child soldiers). A technical commission would be set up, with involvement of UN agencies, to ensure return of IDP's and refugees and elaborate a timetable therefore.

¶4. (SBU) Kamerhe said that issues of disengagement/ brassage and political/judicial guarantees had been more difficult. He said that the conference leaders had just emerged from final discussions with CNDP and come to agreement on disengagement and guarantees. A technical commission would be set up that would monitor the whole process leading from disengagement to brassage and DDR, covering status of troops and reintegration into the army. The parties agreed that MONUC would enter areas that were demilitarized and timetables would be established for relocation of troops. Military barriers now obstructing traffic would be removed. The international community would be incorporated into the technical commission. The government would fulfill its obligations under the Nairobi communiqu   to address the FDLR problem with urgency.

¶5. (SBU) Kamerhe said that the most difficult issue had been amnesty. There had been some initial confusion on what type of amnesty could be guaranteed. It was finally agreed that the final declaration would call on the government to present a "projet de loi" (draft law) to the legislature on amnesty for insurrection or

political acts, which would have no effect on crimes of war or against humanity.

¶6. (SBU) Kamerhe said that the conference leaders would now engage the other armed groups in similar discussions but he hoped that a plenary could begin in the course of the day. Kamerhe noted that CNDP had asked for a separate accord, but he had insisted that the conference documents, one for North Kivu and one (almost identical) for South Kivu, cover all armed groups and ethnic communities. Ending conflict required a global approach. Malu Malu said that the conference plenary would produce a series of resolutions in addition to the main declaration.

¶7. (SBU) Senior Adviser to the Assistant Secretary for African Affairs Tim Shortley asked in what specific areas the international community could be most helpful and noted that it was essential to get maximum publicity of this momentous event, including using the forum of the upcoming African Union summit. Kamerhe said that the significant presence and strong involvement of the international community had been essential to the unfolding success of the conference, but it would be even more important for the international community to be strongly involved in the aftermath. The UNSC and capitals would need to make a strong statement of support. MONUC would need to move its forces rapidly into the area and play, with others in the international community, a central role in the technical commissions established by the conference. Financial and diplomatic support would be essential for resolving the humanitarian crisis, pacification, and reconstruction of the Kivus - effectively, a Marshall Plan. Kamerhe said that Shortley's role had been vital in the success of the conference.

Brock